Single Bench

C.F.

IN THE HIGH COURT OF CHHATTISGARH AT BILASPUR (C.G.)

WRIT PETITION NO. 145/2005

PETITIONERS

1. Rajesh Gauraha, aged about 34 years, son of Shri Ishwar Prasad Gauraha, agriculturist

2. Smt. Savita Pandey, aged about 32 years, wife of Shri Manoj Pandey, daughter of Shri Ishwar Prasad Gauraha,

Both are resident of Telipara, Distt. Bilaspur (Chhattisgarh)

DS No. 141/05
Presented by: Smt. C. D. Sharma
Date: 13.01.05

Certified COPY
Copying A.G. Bilaspur
11.1.05

VERSUS

RESPONDENTS

1. STATE OF CHHATTISGARH through : Collector, Bilaspur.

2. Superintending Engineer, Department of Public Works, Bilaspur (Chhattisgarh)

WRIT PETITION UNDER ARTICLE 226 & 227 OF THE CONSTITUTION OF INDIA, 1950 FOR ISSUANCE OF WRIT IN THE NATURE OF CERTIORARI, MANDAMUS ETC. AND FOR APPROPRIATE ORDER / ORDERS, DIRECTION / DIRECTIONS.

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XI-HC—78

उच्च न्यायालय, छत्तीसगढ़, बिलासपुर

मामला क्रमांक W.P.No. 145/05 सन् 200

आदेश पत्रक (पूर्वानुबद्ध)

आदेश का दिनांक तथा आदेश क्रमांक	हस्ताक्षर सहित आदेश	कार्यालयीन मामलों में डिप्टी रजिस्ट्रार के अंतिम आदेश
	25-1-2005 Shri T. K. Tiwari, appears on behalf of Shri M. D. Sharma, counsel for the petitioners. Smt. Fouzia Mirza, Panel Lawyer for the respondents. Heard both the counsel. The petitioners have preferred this writ petition under Article 226/227 of the Constitution of India questioning the illegal, unjust and invalid order of the respondents, whereby Bhoomiswami land of the petitioners bearing Khasra No.60/2, area 0.23 acres and Khasra No.61/2, area 0.19 acres has been taken into possession by the respondents and a road has been constructed on the land without valid acquisition of the same, as a result of which neither the petitioners have been compensated in terms of money nor any alternative site has been given in lieu of the land used for construction of the road. Learned counsel for the petitioners submitted that the petitioners have already made a representation before the respondents No.1 and 2, but they are not deciding or passing any order on the representation, as such he submitted that respondent No.1 be directed to decide the representation and pass appropriate order in favour of the petitioner to which learned counsel for the respondents has no objection.	

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XI-HC—78

उच्च न्यायालय, छत्तीसगढ़, बिलासपुर

मामला क्रमांक 145 **सन्** 2005

आदेश पत्रक (पूर्वानुबद्ध)

आदेश का दिनांक तथा आदेश क्रमांक	हस्ताक्षर सहित आदेश —2—	कार्यालयीन मामलों में डिप्टी रजिस्ट्रार के अंतिम आदेश
Barve	Having heard learned counsel for the parties and having regard to the facts and circumstances of the case, respondent No.1 is directed to decide the representation of the petitioners and pass appropriate order in the matter after considering all the points raised by the petitioner within 30 days. It is made clear that in case the representation is not available with respondent No.1, then the petitioners can furnish copy of the earlier representation within 10 days before respondent No.1. With the direction aforesaid, the petition stands disposed of. Consequently, M.(W.)P.No.127/2005 and I.A. No.324/2005 also stand disposed of. Parties are entitled for certified copy of this order. **Sd/-** **L.C. Bhadoo** **Judge**	